12/10/13 #116 (R-2014-183)

RESOLUTION NUMBER R- 308621

DATE OF FINAL PASSAGE _____DEC_24_2013

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE SETTLEMENT BETWEEN JANE ROE; THE CITY OF SAN DIEGO; CHIEF WILLIAM LANSDOWNE AND KEVIN FRIEDMAN

WHEREAS, on January 19, 2012, Plaintiff Jane Roe filed suit against the City of San Diego [City]; Chief William Lansdowne and Kevin Friedman alleging personal injuries arising from an incident which occurred on February 20, 2010. The suit is entitled *Jane Roe v. The City of San Diego; Chief William Lansdowne and Kevin Friedman*, Case No 12cv0243 W (WVG)

'[Litigation]; and

WHEREAS, in Closed Session on September 17, 2013, the City Council, by the following votes:

Yeas, District(s) 1, 2, 3, 4, 5, 6, 7, 8, and 9; Nays, None; and Absent, District(s) None; approved the Settlement Agreement; and

WHEREAS, the City Council in closed session on September 17, 2013, authorized settlement of the Litigation for an amount consistent with the amounts set forth below and pursuant to such other terms more fully set forth in the Settlement Agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. The Mayor or his designee to pay the sum of \$795,000 from the Public Liability Fund 720045, in settlement of each and every claim for damages, interest, costs, and fees of any

type, including attorney fees, against City of San Diego, its agents and employees, Chief William Lansdowne and Kevin Friedman arising from the personal injury claim of Jane Roe, United States District Court Case No. 12cv0243 W (WVG).

- 2. The Chief Financial Officer to expend \$795,000.00 from the Public Liability
 Fund #720045, contingent upon the Chief Financial Officer first furnishing one or more
 certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the
 City Treasurer.
- 3. The Comptroller to issue a check in the amounts of: \$795,000 made payable to the Law Offices of Mary Frances Prevost.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

Keith W. Phillips
Deputy City Attorney

KWP:my 9/25/2013
Or.Dept:[Dept] 59
CC No. 3000006515
Doc. No. 641717

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of _DEC 10 2013.

Approved:

(date)

ELIZABETH S. MALAND
City Clerk

By Man Deputy City Clerk

TODD GLORIA, Council President

The City of San Diego COMPTROLLER'S CERTIFICATE

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Passed by the Council of The C	DEC 10 2013 by the following vote:				
Councilmembers	Yeas	Nays	Not Present	Recused	
Sherri Lightner	9				
Kevin Faulconer	7				
Todd Gloria					
Myrtle Cole					
Mark Kersey	9				
Lorie Zapf					
Scott Sherman					
David Alvarez					
Marti Emerald					
Date of final passage	DEC 2 4 2013				
AUTHENTICATED BY:			<u>LORIA, COUNCII</u> 1 Mayor of The City	PRESIDENT of San Diego, California.	
(Seal)		City Cler	ELIZABETH S. k of The City of Sa	MALAND n Diego, California.	
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·		Office of	the City Clerk, Sa	n Diego, California	
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